Supreme Court, U.S.
FILED
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OFFICE OF THE CLERK

No. 99-

IN THE

Supreme Court of the United States

ROBERT W. HOPPER and MICHAEL VALLONE,
as Directors of Heritage America,

Petitioners,

v.

MARY ROBINSON, ADMINISTRATOR OF THE ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION OF THE STATE OF ILLINOIS,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI TO THE SUPREME COURT OF ILLINOIS

PETITION FOR A WRIT OF CERTIORARI

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34pp

QUESTIONS PRESENTED

Are members of organizations that advance their members' economic wellbeing entitled to associational privacy? (First Amendment to the United States Constitution).

Does the United States Constitution require State Court Judges to sign their decisions?

PARTIES TO THE PROCEEDING

Petitioners in this case are Robert W. Hopper and Michael Vallone as Directors of Heritage America who appeared as subpoenaed witnesses before the Illinois Attorney Registration and Disciplinary Commission.

Respondent in this case is Mary Robinson, the Administrator of the Illinois Attorney Registration and Disciplinary Commission.

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Petitioners, Robert W. Hopper and Michael Vallone, as Directors of Heritage America, hereinafter "Petitioners," respectfully pray that a Writ or Certiorari issue to review the decision of the Supreme Court of Illinois which reversed an order of the Circuit Court of Cook County, Illinois, Honorable Irwin J. Solganick, protecting membership information from disclosure under the First Amendment of the United States Constitution and held that Heritage's members were not entitled to the protections of associational privacy under the First Amendment.

REPORTS OF OPINIONS

The Supervisory Order of the Supreme Court of Illinois reversing Circuit Judge Solganick's Order was not reported and is set forth in Appendix A.

The Order of the Circuit Court of Cook County, Illinois, extending associational privacy protection to Heritage's members was not reported and is set forth in Appendix B.

The letter order of the Supreme Court of Illinois denying Petitioners' Motion to Reconsider was not reported and is set forth in Appendix C.

STATEMENT OF JURISDICTION

The decision sought to be reviewed here was entered by the Supreme Court of Illinois on November 9, 1999 and is set forth in Appendix A. An order by the Supreme Court of Illinois denying Petitioners' Motion to Reconsider the November 9, 1999 Order was entered by the Supreme Court of Illinois on January 4, 2000. That order is set forth in Appendix C.

The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a).

CONSTITUTIONAL AMENDMENTS AND ARTICLES INVOLVED

The following constitutional provisions are involved in this case:

First Amendment of the United States Constitution. This is set forth in Appendix E.

Fifth Amendment of the United States Constitution. This is set forth in Appendix F.

STATEMENT OF THE CASE

This cases arises out of a disciplinary proceeding brought by Mary Robinson, the Administrator of the Attorney Disciplinary and Registration Commission of the State of Illinois, against John Carl Stambulis, an attorney employed by Heritage America to assist thousands of its members with financial and estate planning activities.

The Petitioners were forced to petition this Court for Writ of Certiorari because the Illinois Supreme Court refused to abide by this Court's decisions guaranteeing an organization's rights to associational privacy under the First Amendment to the United States Constitution.

Respondent, Mary Robinson, hereinafter the "Administrator," filed a Petition for Rule to Show Cause with the Illinois Supreme Court seeking an order holding Michael Vallone and Robert W. Hopper in contempt for

failing to provide the Attorney Registration and Disciplinary Commission ("ARDC") with documents which would reveal the names and addresses of Heritage's members.[1] After Heritage, through its Directors, Vallone and Hopper, asserted First Amendment rights to associational privacy, the Illinois Supreme Court referred the Administrator's efforts to compel production of the information to the Chief Judge of the Circuit Court of Cook County who thereafter designated the Honorable Circuit Judge Irwin J. Solganick to ". . . entertain Petitions, hear evidence, and enter orders compelling compliance with subpoenas issued pursuant to the Illinois Supreme Court Rule 754(e). . . ."

After entering an order requiring Vallone and Hopper to plead to the allegations contained in the Administrator's Rule to Show Cause, Judge Solganick entertained briefing and, thereafter, scheduled an evidentiary hearing on the Administrator's Petition.

Judge Solganick conducted an evidentiary hearing to determine the validity of Petitioners' claims to protection under the associational privacy guarantees of the First Amendment. At that hearing, Hopper and Vallone appeared and testified at length. The Petitioners produced over 1,600 executed forms in Judge Solganick's courtroom at the start of the evidentiary hearing from members of Heritage America who wished to assert their rights to privacy under the First

---

1. The Administrator in her "Suggestions" filed with the Illinois Supreme Court admitted that the record contained testimony establishing that Heritage America was incorporated in Washington, D.C. under that District's Not-for-Profit Corporation Act and was a private membership organization. The Administrator's Suggestions. P. 6. The fact that Heritage America is a membership organization is undisputed. (Rep. Trans. P. 13, 14).

Amendment.[2] The Circuit Court excluded the 1,600 canvass forms which had been gathered from the members and submitted to the Court as Respondent's Exhibit 11. The canvass forms were prepared for the purpose of determining whether the individual members wished to waive their rights for the benefit of the ARDC investigation. Heritage Members almost unanimously declined the opportunity to waive their rights in favor of the Administrator's professed "need to know." Heritage members almost unanimously sought associational privacy protections of the First Amendment to prevent disclosure of the estate planning and financial activities which they engaged in as members of the organization. Ultimately these same members submitted Amicus Curiae briefs to the Supreme Court of Illinois opposing the clear violation of their rights wrought by the Supervisory Order granted to the Administrator. The Illinois Supreme Court responded to Heritage's members by denying them leave to file as Amicus Curiae and by directing the Clerk to destroy all but one of the filings. In this arrogant display of State power, the Illinois Supreme Court denied Heritage members their rights to associational privacy guaranteed under the First Amendment.

The Administrator sought by subpoena to force production of the names and addresses of all Heritage's members so they could be interviewed in an effort to foment more complaints against the attorney(s) which Heritage hired to assist its members.

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2. The Administrator and the ARDC failed to point out in either their Motion or their "suggestions" that the only sworn testimony which Judge Solganik received came from Hopper and Vallone. Although the Administrator and the ARDC had an investigating agent present who could have, presumably, refuted or controverted Petitioners' testimony, the Administrator failed to present a case other than by cross-examination.

Following a Request for Reconsideration which was denied, Hopper and Vallone petitioned this Court for Writ of Certiorari to enforce the associational privacy rights of Heritage's members under the First Amendment to the United States Constitution which are guaranteed by this Court's prior decisions.

ARGUMENT

REASONS FOR GRANTING THE WRIT

Heritage America is a membership organization. Heritage America assists its members in financial and estate planning activities. Estate Planning assistance involves establishment of living trusts and other estate planning devices. As part of the services Heritage provides to its members, Heritage America employs attorneys to counsel, aid, and assist, its members.

Despite this Court's clear holding to the contrary in *United Mine Worker's v. Illinois State Bar Assn.*, 389 U.S. 217, 222, 88 S. Ct. 353 approving such practice, the Administrator attacked Heritage's attorneys' efforts to assist Heritage's members in setting up living trusts and other financial and estate planning devices as unethical and brought disciplinary actions claiming violations of the Illinois ethical rules prohibiting attorneys from aiding and assisting in the unauthorized practice of law or sharing fees with laymen.

While conceding Heritage is a membership organization, the Administrator claims that First Amendment rights to associational privacy guaranteed under the U.S. Constitution do not apply in disciplinary proceedings in the State of

Illinois.[3] This Court must grant Writ of Certiorari to force the Illinois Supreme Court to adhere in its practice and rulings to this Court's binding interpretations of rights to associational privacy guaranteed by the First Amendment to the United States Constitution.

Further, the Illinois Supreme Court's troubling practice of purporting to issue decisions or orders which affect the constitutional rights of U.S. citizens through its Clerk without setting forth the contents or proof of each individual Judge's decision violates the Due Process and Open Courts Provision of the Fifth Amendment to the United States Constitution.

1. ASSOCIATIONAL PRIVACY UNDER THE FIRST AMENDMENT.

Despite the fact that it chose to deny Heritage members' rights to associational privacy, the Illinois Supreme Court and the inferior appellate Courts of that state, have upheld such rights in numerous contrary decisions. *United States of America v. Thomas J. Monahan*, 681 F. Supp. 490, 499 (N.D. Ill., E.D. 1988); and *Wolfe v. Coleman*, 681 F.2d 1302, 1308 (11th Cir. 1982). The Administrator successfully argued in the Illinois Supreme Court that the reach of the First Amendment does not protect the identity of members from administrative harassment. While the investigative powers of Federal Grand Juries are supreme in our system of law, even a Federal Grand Jury can not violate a valid privilege

3. The Administrator states her constitutionally flawed, but prevailing, position at the Illinois Supreme Court thusly: "Please be advised that, at this time, we are not inclined to agree to those terms because of our position which has been upheld by the Illinois Supreme Court that ours are public proceedings and that no privileges apply to the information we are seeking." Appendix D.

whether that privilege is created by the Constitution, statutes or the common law. *United States v. Calendra*, 414 U.S. 338, 346 (1974). The Supreme Court has long recognized that the First Amendment protects the freedom to engage in associations which advance beliefs and ideas. Moreover, this right of association does not depend on the content or types of beliefs or ideas sought to be advanced.

> It is immaterial whether the beliefs sought to be advanced by an association pertain to political, **economic,** religious or cultural matters.

N.A.A.C.P. v. Alabama, 357 U.S. 449, 460 (1958). The right may be asserted by organizations that engage in, or further, other activities in addition to the expression or advocacy of beliefs and ideas. Thus, even where an association is also involved in non-political or expressive activity, **such as advancement of its members' economic well being**, government action may be challenged to the extent it impinges, directly or indirectly, on freedom of political or expressive association. *In Re: Grand Jury Proceeding*, 842 F.2d 1229, 1234-1235 (11th Cir. 1988). *Roberts v. United States Jaycees*, 468 U.S. 608 (1964). An association that was dedicated to limited government, privacy and personal and financial affairs, and the protection of private property was held to assert a valid First Amendment objection to disclosure of membership records even though it also provided members a service through which they could purchase precious metals and pay bills with a minimum of record keeping. 842 F.2d at 1230.

The First Amendment right of associational privacy is implicated by any subpoena that requires compelled disclosure of affiliations with groups engaged in advocacy

of particular beliefs. Such compelled disclosure requires justification because it may expose the members of an unpopular group to reprisal or harassment, thereby inhibiting citizens from exercising their right to participate meaningfully in American political life. Justification is required irrespective of whether the impingement is intentional or unintentional since the potential for a chilling effect is the same in either case. Freedom of association may be infringed not only by subpoenas that directly call for membership records, but also by subpoenas that seek to obtain such information indirectly e.g. by seeking financial records from which membership data may be inferred. *Pollard v. Roberts*, 283 F. Supp. 248, 251-252 (E.D. Ark.), *aff'd*, 393 U.S. 14 (1968). *In Re: Grand Jury Subpoena to First National Bank*, 701 F.2d 115, 116-117 (10th Cir. 1983) (Subpoenae modified to protect members' rights of dissident taxpayer organizations.)

Even where the government demonstrates both the compelling interest and a suitable nexus between the asserted interest and information sought, the government must establish that it has adopted the least intrusive means of obtaining the information required. Where the subpoena is overly broad relative to the government's legitimate interest, the Court may modify it. *Local 814 International Longshoremen's Association v. Waterfront Commission of N.Y. Harbor*, 667 F.2d 267, 274 (2d Cir. 1981).

In light of the above authority, the A.R.D.C.'s argument that no membership rights to associational privacy exist "as a matter of law" in the State of Illinois is untenable.

2. VIOLATION OF THIS COURT'S PRECEDENTS.

The "economic" distinction asserted as an exception to a membership organization's rights to associational privacy was carefully considered and rejected by this Court in *N.A.A.C.P. v. Alabama*, 357 U.S. 449, 460 (1958) and *United Mine Workers v. Illinois State Bar Association*, 389 U.S. 217, 88 S. Ct. 353 (1967). Such arguments were overruled in *United Transportation Union v. State Bar of Michigan*, 401 U.S. 576, 190 S. Ct. 1076 (1971); *The Brotherhood of Railroad Trainmen v. Virginia Ex Rel Virginia State Bar Association*, 377 U.S. 1, 84 S. Ct. 1113 (1964); and *N.A.A.C.P. v. Button*, 371 U.S. 415, 83 S. Ct. 328 (1963).

All of the above decisions guarantee an organization's members' rights to associational privacy under the First Amendment irrespective of the economic concerns or activities related to membership. The Illinois Supreme Court's ruling violates all of the above precedents. Certiorari should be granted and the Illinois Supreme Court's ruling granting the Administrator's request for supervisory order should be reversed.

3. DENIAL OF PUBLIC ACCESS TO CONTEND OR PROOF OF A JUDGE'S DECISION.

The Illinois Supreme Court has adopted a practice of issuing rulings and decisions through its Clerk without granting public access to the contents or proof of each individual Judge's decision. The Fifth Amendment to the United States Constitution guarantees public access to not only the contents, but also, the proof of an individual Judge's decision. In the instant case, the Illinois Supreme Court issued a decision through the Clerk which did not contain

the signatures of all the Supreme Court Judges. Furthermore, despite the fact that the Illinois Supreme Court supervisory order purported to reverse the Circuit Court's grant of associational privacy protection for Heritage members, no opinion was issued which set out any legal rationale for doing so.

A republican form of government which is guaranteed in each state by the United States Constitution requires that each Judge sign an opinion or order which he issues and thereby make himself accountable to the people he serves for his decisions and actions.

Recognizing these federal requirements, the Illinois State Constitution of 1970, Article 6, Section 3, reads as follows:

> The Supreme Court shall consist of seven judges. Three shall be selected from the First Judicial District and one from each of the other Judicial Districts. **Four judges constitute a quorum and the concurrence of four is necessary for a decision.** Supreme Court Judges shall select the Chief Justice from their number to serve for a term of three years.

These four judges must act on any motion or matter which requires a full decision by the Court and the concurrence of four is necessary for a decision. Furthermore, the Judges who constitute a quorum must actually act on the matter before the Illinois Supreme Court, deliberate, and issue their studied opinion on the merits.

Chief Justice Freeman had no independent power to enter a decision on the merits allowing the Supervisory Order

sought by A.R.D.C. without a quorum participating. The purported order attached to the Clerk, Juleann Hornyak's, November 9, 1999 letter was void on its face.[4] The Illinois Supreme Court rules contemplated that certain actions may be taken on behalf of the Supreme Court by one Justice thereof. The power of one Supreme Court Justice to purport to act for the whole Court is severely limited. The present version of Illinois Supreme Court Rule 361(c) makes those limitations clear with the following language:

> Supreme Court Rule 361(c)(1). **(c) In Supreme Court while not in session.**
>
> **(1) If a rule provides that relief may be granted "by the Court or Justice thereof," the motion shall be directed to only one Justice.** Such a motion shall be directed to the Justice of the Judicial District involved or, in Cook County, to the Justice designated to hear motions . . .
>
> **(2) If a motion seeks relief which under these rules requires action by the full Court, and the case arises from the Second, Third, Fourth, or Fifth Judicial District, the movant shall mail the original and one copy to the Clerk in Springfield with a copy**

4. The Clerk of the Illinois Supreme Court later wrote a letter purporting to "correct" a "mistake" in the issuance of this order. While Ms. Hornyak claimed that the November 9, 1999 order had been signed by all of the Illinois Supreme Court Judges, no opinion or order signed by all seven Judges was ever forthcoming.

> **to each Justice of the Court at the Justice's District chambers. . . If the case arises from the First Judicial District (Cook County), the movant shall file an original and five copies with the Clerk in the Chicago satellite office, with a copy to each Justice from the Second, Third, Fourth, and Fifth Judicial District at the Justice's District chambers.**

See text of Rule 361(c)(1) and (2).

Illinois Supreme Court Rule 383 governing Motions for Supervisory Orders leaves no doubt that a Motion for Supervisory Order must be decided by the full Court. Illinois Supreme Court Rule 383(e) reads, in pertinent part:

> If the case arises from the First Judicial District (Cook County), the movant shall file the original motion and five copies with the Clerk in the Chicago satellite office and **send a copy to each Justice for the Second, Third, Fourth, and Fifth District at his District chambers.**

Illinois Supreme Court Rule 361(c) quoted above does not require service of a motion involving a case arising out of Cook County on the Justice for the Second, Third, Fourth, or Fifth Judicial Districts if relief on a motion to the Supreme Court may be granted by ". . . a Justice thereof. . . ."

The Administrator's Rule 383 Motion for Supervisory Order was a collateral attack on Judge Solganick's findings which he made as the result of an assignment to him of a

Petition for Rule to Show Cause by the Administrative Judge of Cook County acting at this Court's request. The Motion for Supervisory Order could not be considered a "motion of course to be decided by one Judge." Chief Justice Freeman's actions as a Supreme Court of One deprived Heritage and thousands of its members residing in Illinois, of the benefit of a final judgment of the Circuit Court. The Illinois Constitution, Article 6, Section 3 guarantees that decisions on the merits will be taken by the full Supreme Court. *Arlington City Cab Co. v. Regional Transportation Authority*, 82 Ill.2d 458, 413 N.E.2d 408, 45 Ill. Dec. 1930 (1980).

The Open Courts Provision of the Fifth Amendment to the United States Constitution mirrors the guarantees in Article 6, Section 3 of the Illinois Constitution and requires that Judges issue evidence of their individual decisions and opinions so that they may be held accountable by their constituents. The order granting the Administrator's Motion for Supervisory Order is void on its face as well as constitutionally deficient.

CONCLUSION

For the foregoing reasons, this petition should be granted and a Writ of Certiorari should be issued to review the decision below. After such review, the order of the Supreme Court of Illinois granting the Administrator's Motion for Supervisory Order should be reversed.

Respectfully submitted,

JOE ALFRED IZEN, JR.
Attorney for Petitioners
5222 Spruce Street
Bellaire, Texas 77401
(713) 668-8815

APPENDIX

APPENDIX A — SUPERVISORY ORDER OF THE SUPREME COURT OF THE STATE OF ILLINOIS DATED AND FILED NOVEMBER 9, 1999

STATE OF ILLINOIS
SUPREME COURT

Supervisory Order

Commission No. 98 CH 100

Circuit Court, Cook County
No. 99 L 50685

No. 88377

Mary Robinson, Administrator, etc.,

Movant

v.

John Carl Stambulis, etc., et al.,

Respondents

No. 88377 - Mary Robinson, Administrator, etc., movant, v. John Carl Stambulis, etc., et al., respondents.

Motion by movant for a supervisory order. Motion *allowed*.

Appendix A

In the exercise of the Court's supervisory authority, the Honorable Irwin J. Solganick is directed to vacate those portions of his order of September 13, 1999, excusing compliance with the Administrator's subpoena in *In Re Stambulis*, M.R. 15925 (Circuit Court No. 99 L 50685, Commission No. 98 CH 100), and to enter an order enforcing the subpoena in its entirety.

Order entered by the Court.

Chief Justice Freeman

APPENDIX B — ORDER OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS DATED AND ENTERED SEPTEMBER 13, 1999

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Supreme Ct. No. HR. 15925

Comm. No. 98CH100

NO CIR CT No. 99I50685

In re Stambulis

Atty - Respondent

No. 02-101 294

v.

Robert W. Hopper and Michael Vallone,
as Directors for Heritage America

ORDER

This cause coming on for hearing on the rule to show cause, the court hearing evidence & arguments, hereby finds:

1. The attorney-client privilege does not apply.

2. The First amendment right to Associational privacy is applicable, & Heritage America has the right to assert its members privilege.

Appendix B

3. Respondents have tendered no documents, but their failure to do so is, in part, justified.

4. Is therefore ordered.

1. The respondent witnesses shall produce the items identified in paragraphs 3, 4, 9, 10, 11 and 12, or verify in writing that they do not exist.

2. The witnesses shall produce, redacted attorney confirmation sheets as requested in par. 1. A number shall be assigned to each redacted name and a list of names & corresponding numbers shall be submitted to the court in camera. Any other item produced pursuant to any other paragraph which contains a member name shall be treaed accordingly.

3. The names identified in par. 2 shall be produced with the exception of the members financial information & copies of living trusts, which may be withheld.

4. Pars. 5, 6, 7 & 8 need not be complied with.

5. The rule to show cause is continued to Sept. 28, 1999 at 1:00 p.m. for the witnesses compliance with the production ordered above. All parties shall be present unless the parties agree that compliance with the order of today's date is complete & the court is so notified.

Appendix B

Atty No.
Name: Mary Robinson
Attorney for ARDC
Address 130 E Randolph
City/Zip Chicago 60601
Telephone 312 565-2600

ENTER: Judge Irwin J. Solganick
SEP 13 1999
Circuit Court

APPENDIX C — LETTER ORDER OF THE SUPREME COURT OF ILLINOIS DENYING MOTION TO RECONSIDER DATED JANUARY 4, 2000

SUPREME COURT OF ILLINOIS
Supreme Court Building
Springfield 62701

* * *

January 4, 2000

Mr. Joseph Alfred Izen, Jr.
5222 Spruce Street
Bellaire, TX 77401

In re: Mary Robinson, Administrator, etc., movant, v. John Carl Stambulis, etc., et al., respondents. No. 88377

Today the following order was entered in the captioned case:

Motion by respondents to reconsider this Court's order of November 9, 1999. Motion Denied.

Order entered by the Court.

Very truly yours,

s/ Juleann Hornyak
Clerk of the Supreme Court

cc: Ms. Rosalyn B. Kaplan
Mr. Samuel J. Manella
Hon. Irwin J. Solganick

APPENDIX D — LETTER FROM ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION DATED JANUARY 24, 2000

ATTORNEY REGISTRATION AND
DISCIPLINARY COMMISSION

of the
SUPREME COURT OF ILLINOIS

Joe A. Izen, Jr.
Attorney at Law
5222 Spruce St.
Bellaire, TX 77401

Chicago
January 24, 2000

Re: John Carl Stambulis

Supreme Court No. MR. 15925
Commission No. 98 CH 100
Circuit Court No. **99 L 50685**

Dear Mr. Izen:

This letter is written as a follow-up to our court appearance and subsequent conversation on January 18, 2000 As you are most likely aware, Robert Hopper and Heritage were properly served with a subpoena duces tecum on January 20, 2000, the language of which is identical to that used in the Bartoli matter, and which explicitly calls for the production of the member files which Mr. Stambulis worked on while employed by or contracted with Heritage.

Appendix D

If Heritage and Mr, Hopper do not comply with the subpoena by the return date of January 31, 2000, we will immediately pursue all enforcement action as provided for in Illinois Supreme Court Rule 754. Further, in light of the fact that all the issues you have raised in opposition to production have been fully litigated in, and rejected by, both the Illinois Supreme Court and the Federal District Court no less than four times in the context of this case and the Bartoli case, if your clients refuse to comply with this subpoena in a timely manner and we are forced to resort to the Illinois Supreme Court and the Circuit Court of Cook County for enforcement a third time, be advised that we will begin documenting our time and may seek sanctions.

In addition, I had the opportunity to speak with Mary Robinson about your proposal to turn over the requested documents if we agreed to maintain the anonymity of the members and return the documents with identifying information at the conclusion of the hearing in this matter. Please be advised that, at this time, we are not inclined to agree to those terms because of our position, which has been upheld by the Illinois Supreme Court, that ours are public proceedings and that no privileges apply to the information we are seeking.

Finally, when our investigator served Mr. Hopper and Heritage with this most recent subpoena last week, Mr. Hopper indicated that the records we were seeking had been sent to their attorney out of state. There can be no dispute that, regardless of the physical location of the records, Mr. Hopper still maintains control over them as a director of Heritage. We hope that this change in location of the

documents, presumably to you, was made in an effort to facilitate timely production, and not in an effort to obstruct our access to information and potential evidence to which we are entitled. If Mr. Hopper and Heritage do not produce documents in compliance with the subpoena before January 31, 2000 at 10:00 am., we will expect them to appear, pursuant to the subpoena, on January 31, 2000 at 10:00 am. at the Chicago offices of the Commission.

Please contact me or Mary Robinson if you would like to discuss anything contained in this letter or to arrange for compliance with the subpoena.

Very truly yours,

s/ Sari W. Montgomery
Sari W. Montgomery
Counsel

SWM: cc
cc: Samuel J. Manella, Esq.

APPENDIX E — FIFTH AMENDMENT

U.S. CONSTITUTION, AMENDMENT 5, DUE PROCESS OF LAW

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when an actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall be private property be taken for public use, without just compensation.

APPENDIX F — FIRST AMENDMENT

U.S. CONSTITUTION, AMENDMENT 1

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.